

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Ernesto Rayo Morales

Docket No. 7:08-CR-69-1BO

Petition for Action on Supervised Release

COMES NOW Jay Kellum, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ernesto Rayo Morales, who, upon an earlier plea of guilty to Conspiracy to Possess With the Intent to Distribute More Than 500 Grams of Methamphetamine, in violation of 21 U.S.C. § 846; four counts of Distribution of a Quantity of Methamphetamine, in violation of 21 U.S.C. § 841(a)(1); and Possession With the Intent to Distribute a Quantity of Methamphetamine, in violation of 21 U.S.C. § 841(a)(1), was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on April 15, 2009, to the custody of the Bureau of Prisons for a term of 151 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months. On April 29, 2015, the custody term was reduced to 121 months pursuant to 18 U.S.C. § 3582(c)(2).

Ernesto Rayo Morales was released from custody on April 12, 2017, at which time the term of supervised release commenced.

On October 31, 2017, the Court approved a Petition for Action on Supervised Release striking the condition for deportation, as it was determined by the U.S. Probation Office that the defendant is a United States citizen.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant requested a transfer to the Central District of California to live with family. The relocation request has been investigated by U.S. Probation Officer Daniel Landeros of the Los Angeles field office. In speaking with Officer Landeros on February 26, 2018, he advised the residence is suitable for transfer but requested that the drug aftercare condition be modified to reflect the additional wording as follows for the Central District of California: The offender shall refrain from any unlawful use of a controlled substance. The offender shall submit to one drug test within 15 days of release and at least two periodic drug tests thereafter, not to exceed eight tests per month, as directed by the Probation Officer. Therefore, it is respectfully recommended that the drug aftercare condition already imposed be modified as outlined above.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility. The offender shall refrain from any unlawful use of a controlled substance. The offender shall submit to one drug test within 15 days of release and at least two periodic drug tests thereafter, not to exceed eight tests per month, as directed by the Probation Officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Jay Kellum
Jay Kellum
U.S. Probation Officer
200 Williamsburg Pkwy, Unit 2
Jacksonville, NC 28546-6762
Phone: 910-346-5109
Executed On: March 6, 2018

ORDER OF THE COURT

Considered and ordered this 21 day of March, 2018, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge